

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

City of Chicago, City and County of Denver,
and Pima County,

Plaintiffs,

v.

United States Department of Homeland Security;
Kristi Noem, in her official capacity as Secretary of
the United States Department of Homeland Security;
United States Federal Emergency Management
Agency; and David Richardson, in his official
capacity as Acting Administrator of the United
States Federal Emergency Management Agency,

Defendants.

Case No.: 1:25-cv-05463

Hon. Matthew F. Kennelly

DECLARATION OF LUCY PRATHER

I, Lucy Prather, declare as follows:

1. I am a resident of the City of Chicago in the State of Illinois. I am over the age of 18 and have personal knowledge of all the facts stated herein, except to those matters stated upon information and belief; as to those matters, I believe them to be true. If called as a witness, I could and would testify competently to the matters set forth below.

2. I currently serve as an Assistant Corporation Counsel in the City of Chicago's Department of Law.

3. A true and correct copy of the Department of Homeland Security, Office of Immigration Statistics' Fiscal Year 2020 Enforcement Lifecycle Report, also available at https://ohss.dhs.gov/sites/default/files/2023-12/2020_enforcement_lifecycle_report.pdf, is attached hereto as Exhibit 1.

4. A true and correct copy of the Department of Homeland Security, Office of Immigration Statistics' Fiscal Year 2023 Enforcement Lifecycle Report, also available at <https://ohss.dhs.gov/topics/immigration/immigration-enforcement/enforcement-lifecycle-reports/fy23-enforcement-lifecycle>, is attached hereto as Exhibit 2.

5. A true and correct copy of the January 12, 2024 press release from the Office of Texas Governor Greg Abbott, "Texas Transports Over 100,000 Migrants To Sanctuary Cities," also available at <https://gov.texas.gov/news/post/texas-transports-over-100000-migrants-to-sanctuary-cities>, is attached hereto as Exhibit 3.

6. The Notice of Funding Opportunity for the 2023 SSP-A Grant is no longer available online on FEMA.gov. A true and correct copy of the Notice of the 2023 SSP-A Grant that was filed on the docket in *City of New York v. Donald Trump et al.*, 25-cv-01510 (S.D.N.Y. Feb. 21, 2025), is attached hereto as Exhibit 4.

7. A true and correct copy of the Notice of Funding Opportunity for the 2024 SSP-C Grant, downloaded from FEMA.gov, is attached hereto as Exhibit 5.

8. The Notice of Funding Opportunity for the 2024 SSP-A Grant is no longer available online on FEMA.gov. A true and correct copy of the Notice of the 2024 SSP-A Grant that was filed on the docket in *City of New York v. Donald Trump et al.*, 25-cv-01510 (S.D.N.Y. Feb. 21, 2025), is attached hereto as Exhibit 6.

9. A list of every grant awarded under the Shelter and Services Program is available online at <https://www.usaspending.gov/search?hash=92a9a0bb67e827f11eecc4c6d8bf1d22>.

10. In a post on X.com, formerly known as Twitter, Elon Musk posted the following on February 10, 2025, at 4:03 am, which is also publicly available at <https://x.com/elonmusk/status/1888891512303263815?lang=en>:



The screenshot shows a tweet from Elon Musk (@elonmusk) on X.com. The tweet reads:
The @DOGE team just discovered that FEMA sent \$59M LAST WEEK to luxury hotels in New York City to house illegal migrants.
Sending this money violated the law and is in gross insubordination to the President's executive order.
That money is meant for American disaster relief and instead is being spent on high end hotels for illegals!
A clawback demand will be made today to recoup those funds.

4:03 AM · Feb 10, 2025 · 66.6M Views

11. Then-Acting Administrator Cameron Hamilton reposted Elon Musk's tweet and added his own comments on X.com on February 10 at 6:01 am, publicly available at https://x.com/FEMA_Cam/status/1888921176199635266:



The screenshot shows a tweet from Cameron Hamilton (@FEMA_Cam) on X.com. The tweet reads:
I want to thank the @DOGE team for making me aware of this. Effective yesterday these payments have all been suspended from FEMA. Personnel will be held accountable.

@elonmusk

Elon Musk (@elonmusk) · Feb 10
The @DOGE team just discovered that FEMA sent \$59M LAST WEEK to luxury hotels in New York City to house illegal migrants.
Sending this money violated the law and is in gross insubordination to the President's executive order. ...
[Show more](#)

6:01 AM · Feb 10, 2025 · 551.6K Views

988 3.1K 10K 296

12. Then-Acting Director Hamilton posted a second tweet on X.com a few minutes later, at 6:11 am, which is publicly available at https://x.com/FEMA_Cam/status/1888923672523489649:

The screenshot shows a tweet from Cameron Hamilton (@FEMA_Cam). The tweet content is: "@USCongress should have never passed bills in 2023 and 2024 asking FEMA to do this work. This stops now." The tweet was posted at 6:11 AM · Feb 10, 2025 · 78.7K Views. Below the tweet, there are engagement metrics: 218 replies, 637 retweets, 3.9K likes, and 58 bookmarks.

13. Data available on USASpending.gov shows that all SSP awards were modified on February 10, 2025, such that the obligated amount did not exceed the amount already outlaid by the federal government, thereby “zeroing out” the remaining award balance. Every SSP award that I have reviewed on USASpending.gov shows the same modification, which occurred on February 10. Screen shots of the relevant modifications to Plaintiffs’ awards, with corresponding USASpending.gov URLs for each award, are attached hereto as Exhibit 7. These screen shots were taken and compiled at my direction on June 18, 2025.

14. A true and correct copy of the February 11 Declaration of Cameron Hamilton, filed in *State of New York et al. v. Trump et al.*, 1:25-CV-00039 (D.R.I. Jan. 28, 2025) Dkt. 102-1, which I downloaded from the docket via Westlaw Docket Search, is attached hereto as Exhibit 8.

15. A true and correct copy of the March 20, 2025, Memo from then-Acting Administrator of FEMA, Cameron Hamilton, to DHS Secretary Kristi Noem, “Approval of FEMA-Administered Grant Disbursements,” (the “Hamilton Memo”) is attached hereto as Exhibit 9.

16. A true and correct copy of the January 28, 2025, Memo from DHS Secretary Kristi Noem to all DHS component and office heads, “Direction on Grants to Non-governmental Organizations,” (“First Noem Memo”), which I obtained from the public docket in *Solutions in Hometown Connections v. Noem*, 8:25-cv-00885 (D. Md. Mar. 17, 2025), Dkt. 30-3, is attached hereto as Exhibit 10.

17. A true and correct copy of the February 19, 2025, Memo from DHS Secretary Kristi Noem to all DHS agencies and offices, “Restricting Grant Funding for Sanctuary Jurisdictions,” (“Second Noem Memo”), which I obtained from the public docket in *State of Illinois v. Federal Emergency Management Agency*, 1:25-cv-206 (D.R.I. May 13, 2025), Dkt. 1-1, is attached hereto as Exhibit 11.

18. Video Footage of May 8 Senate Appropriations Subcommittee Hearing on Dept. of Homeland Security, is available at <https://www.appropriations.senate.gov/hearings/a-review-of-the-presidents-fiscal-year-2026-budget-request-for-the-department-of-homeland-security>. The comments excerpted in the City’s brief occur at timestamp 23:17-23:57.

19. A news report published in The Independent, “ICE could ‘run out of money next month’ and is already \$1bn over budget to carry out Trump’s deportation plans,” also available online at <https://www.the-independent.com/news/world/americas/us-politics/ice-dhs-budget-deportations-trump-b2770916.html>, is attached hereto as Exhibit 12.

20. A true and correct copy of the City of New York’s Memorandum of Law in Support of its Motion for Temporary Restraining Order and Preliminary Injunction, filed on the public docket in *City of New York v. Trump et al.*, 25-cv-1510 (S.D.N.Y. Feb. 21, 2025), Dkt. 10, is attached hereto as Exhibit 13.

21. A true and correct copy of defendants' Response in Opposition to the City of New York's Request for a Temporary Restraining Order and Preliminary Injunction, filed on the public docket in *City of New York v. Trump et al.*, 25-cv-1510 (S.D.N.Y. 2025), Dkt. 17, is attached hereto as Exhibit 14.

22. A true and correct copy of the transcript of the March 5, 2025, oral argument on New York City's motion for Temporary Restraining Order and Preliminary Injunction in *City of New York v. Trump et al.*, 25-cv-1510 (S.D.N.Y. 2025), is attached hereto as Exhibit 15.

23. On May 30, 2025, I submitted a Freedom of Information Act request to the Department of Homeland Security, requesting, among other things, all Section 503 Notices that DHS had issued relating to the Shelter and Services Program. I have not received a final response to this request.

24. The Declaration of the Colorado Division of Homeland Security and Emergency Management in Support of the States' Second Motion to Enforce the Preliminary Injunction, filed on the public docket in *State of New York et al. v. Trump et al.*, 25-cv-0039 (D.R.I. Mar. 24, 2025), Dkt. 168-3, is attached hereto as Exhibit 16.

25. A news report published by Law360 on May 16, 2025, "Chicago, Denver Sue DHS To Keep Migrant Funding Flowing," also available online at <https://www.law360.com/colorado/articles/2341433/chicago-denver-sue-dhs-to-keep-migrant-funding-flowing?copied=1>, is attached hereto as Exhibit 17.

I declare under penalty of perjury under the laws of the United States that, to the best of my knowledge, the foregoing is true and correct.

Executed on June 19, 2025, in Chicago, Illinois.

/s/ Lucy Prather
Lucy Prather